

1                                   **AN ORDINANCE TO AMEND CHAPTER 95**  
2                                   **OF THE MUNICIPAL CODE OF THE TOWN OF HENLOPEN ACRES,**  
3                                   **DELAWARE, RELATING TO**  
4                                   **RENTAL PROPERTY AND ANNUAL LICENSURE.**  
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7           **WHEREAS**, the Mayor and Town Commissioners of the Town of Henlopen Acres deem it  
8 appropriate to amend the requirements for licensing of rental units; and  
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10           **WHEREAS**, the proposed amendment relating to rental licensing and rental units will  
11 promote the health, safety, and general welfare of the Henlopen Acres community.  
12

13           **BE IT ORDAINED** by the Mayor and Town Commissioners, in session met, a quorum  
14 pertaining at all times thereto, in the manner following to-wit:  
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16           **Section 1.**       Chapter 95, Rental Property, Article I, Rental Unit Licensing, Section 95-3,  
17 Application for annual license, as amended, be and the same is hereby further amended by making  
18 the following additions as shown by underlining and deletions as shown by strikethrough:  
19

- 20           A.       Application for a license required by § 95-2 hereof shall be made on the prescribed  
21 form, which may be amended from time to time, to the Town Manager in the Town  
22 Hall, and no license shall be granted until the license fee shall have been paid in full.  
23 Each such license and such application shall specify to whom it shall be issued and  
24 give the following information, including but not limited to:  
25  
26                   (1)       The home and business address of the applicant.  
27                   (2)       If the applicant is a partnership, the names and addresses of the individuals  
28 composing the partnership.  
29                   (3)       If the applicant is a corporation, the names and addresses of the principal  
30 officers of the corporation.  
31                   (4)       The specific location of the business, occupation or activity, giving lot and  
32 block number.  
33                   (5)       The number of sleeping rooms or bedrooms in each rental unit and the  
34 number of persons to be accommodated.  
35                   (6)       A statement that the applicant has complied with all laws and ordinances of  
36 the Town and that all taxes and assessments, if any due the Town, upon the  
37 property which the licensee will operate are paid.  
38                   (7)       The name, address, and telephone numbers of at least one emergency  
39 contact person who shall be at least 21 years of age and who will be located  
40 within Sussex County, Delaware and available to be contacted at all times  
41 during the term, duration, or lease period of any lease or rental agreement  
42 for any rental unit.  
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44 B. It is presumed that each license applicant and each license holder meets certain  
45 required qualifications and has completed an affidavit to such effect, as follows:  
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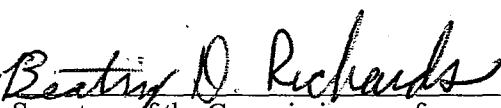
- 47 (1) Has not made a misrepresentation of fact in the license application.  
48 (2) Has consistently complied with all provisions of this article and all other laws and  
49 ordinances of the Town.  
50 (3) Has paid all taxes, fees and assessments due the Town.  
51

52 C. No rental license shall be issued for any rental unit under Subsection A(5) of this  
53 section until the applicant shall certify, in writing, on a form prepared by the Town,  
54 that:

- 55 (1) Each such rental unit has the minimum number of functioning smoke  
56 detection devices, in accordance with National Fire Protection Association  
57 (NFPA) requirements.  
58 (2) The number of people per unit building is in compliance with the Housing  
59 Code of Sussex County and of the State of Delaware and, in any event, shall  
60 not exceed 12 persons, and acknowledgement of compliance with Town  
61 zoning laws, ~~including the prohibition on group rentals provided in § 130-~~  
62 ~~18.~~  
63 (3) The term, duration, or lease period provided in any lease or rental agreement  
64 for any rental unit will not be less than seven days.  
65 (34) The information on the application is true and correct and that a false  
66 answer can subject the application to denial or a license to revocation.  
67

68 **Section 2.** This Ordinance shall take effect immediately upon its adoption by the  
69 Mayor and Town Commissioners of the Town of Henlopen Acres.  
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71 Adopted by the Commissioners  
72 of the Town of Henlopen Acres  
73 10/9, 2015  
74

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76   
77 Secretary of the Commissioners of  
78 the Town of Henlopen Acres  
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81 **SYNOPSIS:** This Ordinance sets forth additional certifications to be made by an applicant for an  
82 annual license for rental units and further requires that such applicant provide the name and contact  
83 information for at least one local emergency contact person.